

# State of California



## Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement  
(916) 322-5662 322-5660 322-5901 322-6441

October 24, 1984

Steven Miller  
State Field Director  
Common Cause  
636 So. Hobart Blvd., Suite 226  
Los Angeles, CA 90005

Re: Your Request for Advice  
Our No. A-84-252

Dear Mr. Miller:

I am in receipt of a copy of your letter to Roger Brown, Director of our Enforcement Division. In that letter you request that your pending advice request be treated as a formal complaint by that Division. Therefore, I am transmitting to Mr. Brown the materials which you forwarded with your advice request.

To clarify my telephone conversations with you, we are unable to provide specific advice under Government Code Section 83114 to your organization in this instance because Common Cause had no "duty or obligation" under the Political Reform Act. However, we were preparing a responsive letter which would have discussed the requirements of the law in general terms. You prefer a more focused response to the specific facts involved and have, instead, elected to request an enforcement investigation. That is your prerogative.

If we can be of further assistance in the future, please do not hesitate to call on us.

Sincerely,

Handwritten signature of Robert E. Leidigh.  
Robert E. Leidigh  
Counsel  
Legal Division

REL:plh  
cc: Roger Brown  
W. R. Holcomb, Mayor  
San Bernardino

# Memorandum

To : Barbara

Date : 10/4/84

From : FAIR POLITICAL PRACTICES COMMISSION  
Jeanne

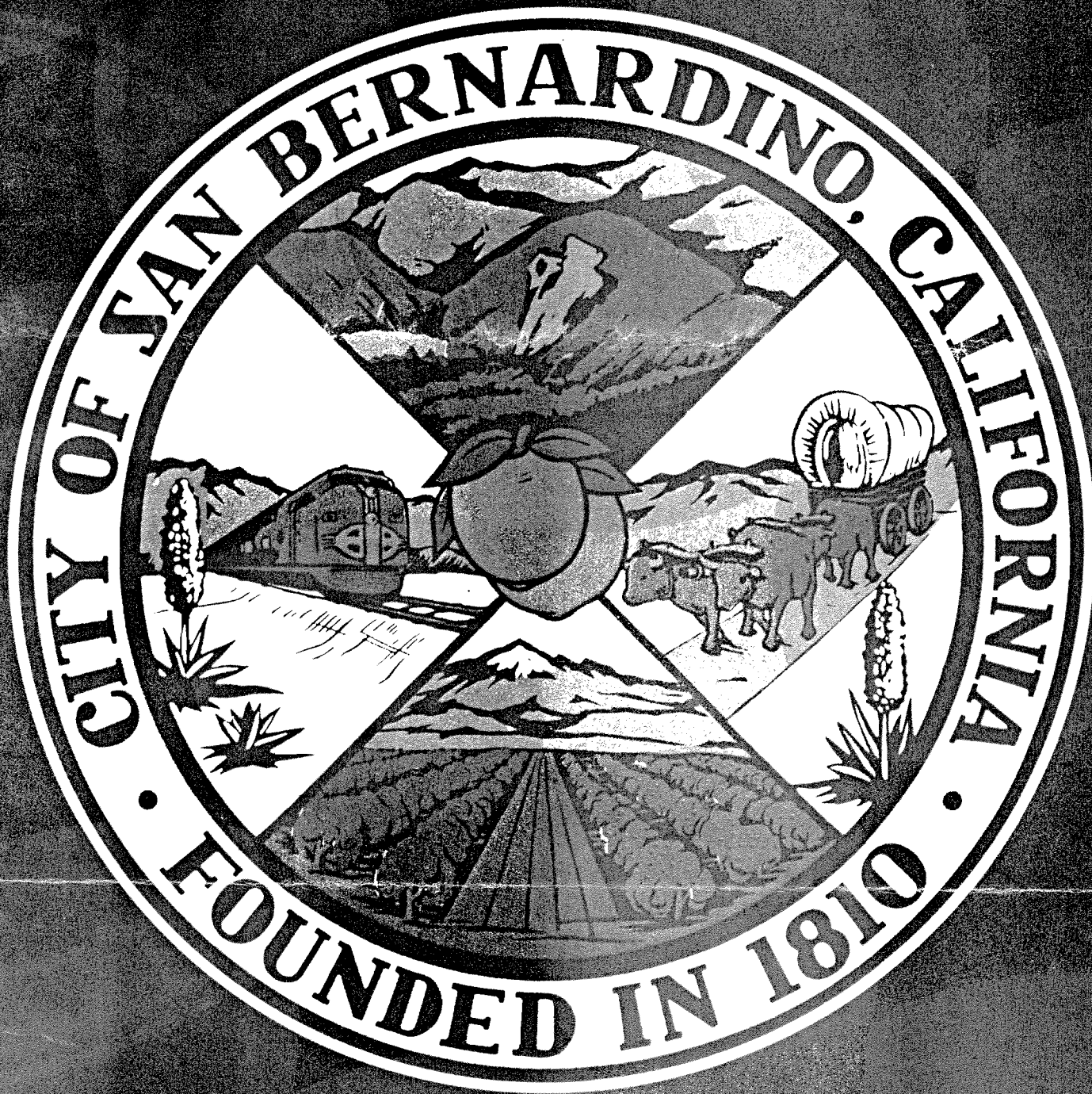
Subject : Attached

Steven Miller would like an opinion as to whether the costs for this literature constitute an expenditure. It was paid for, in part, by the City of San Bernardino.

SEP 25 1984

PPC

10 AM





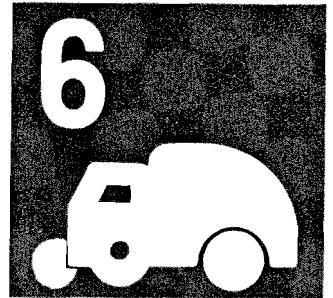
### Will your Water Bills come down?

YES, in most cases. The City and East Valley Water Districts are working to insure that SOUTHERN CALIFORNIA WATER CO. CUSTOMERS RECEIVE NITRATE FREE, PURE WATER AT LOWER RATES. Also, the two are finalizing an agreement whereby EAST VALLEY WILL LOWER ITS RATES BY ABOUT 10% in exchange for high altitude well water from the city.

If you have another water company, there will be no change.

### Will you get semi-weekly Street Sweeping of your neighborhood?

YES. THE CITY STREET SWEEPERS CLEAN NEIGHBORHOOD STREETS ON THE SAME DAY EVERY OTHER WEEK. Trees are also trimmed as needed. The City will repave and mark streets twice as often as they are now

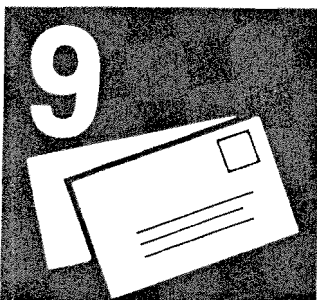


### Will you be able to keep your Animals?

YES. City and County rules on the raising of Horses and Livestock are now identical. Even where they are not the same CITY LAWS WILL ALLOW YOU TO KEEP ANY ANIMAL YOU HAVE. However, pigs will be welcome for just two more years.

### Will your Rubbish bills go up?

NO. The same company will pick up your rubbish. They will be required to lower their charge to \$6.10 per month to pick up everything at the curb twice a week. Current rates are from \$7-\$7.50.



### Will your Address change?

PARTIALLY. Your street number will change to four digits. This will end the confusion which police, fire, paramedics and the post office face between City and County numbers. However, the post office will continue to deliver mail to your old number.

Your Zip Code and Street Name will not change. New street signs will go up. A Highland or Del Rosa designation can be used as long as you prefer it.

### Will your neighborhood lose its Identity?

NO. Your area will continue to be known as Del Rosa, Highland, Arrowhead Suburban Farms, Warm Springs, East Highlands, or Mountain Shadows. In Highland, the post office designation stays the same. Two proposed city council seats would give the people of the area the power to vote for their own needs. This would also mean representation on all City Commissions.



# Hernandez attacks use of \$56,000

By LARRY HICKS

Sun Staff Writer

SAN BERNARDINO — Councilman Ralph Hernandez, the only elected official here opposing the city's attempt to annex Highland, has accused the San Bernardino Area Chamber of Commerce of misusing a \$56,000 city grant to survey attitudes of Highland residents toward annexation.

City Attorney Ralph H. Prince and a consultant hired to conduct the survey said Wednesday the money has not been misused nor has any provision in the agreement between the city and the chamber been violated.

"I have gone to great lengths to ensure that the integrity of this (survey) is maintained," said John Husing, the chamber consultant conducting the survey.

Survey interviewers are instructed to remain neutral when distributing the survey questionnaires to Highland residents, Husing said. In fact, the interviewers also are Highland residents who survey the neighborhoods where they live, he said.

But Hernandez, who opposed the council decision in May to grant funds for the survey, said the study is tainted by the politicking of a Husing employee, Reggie Greene, a member of a black men's organization that recently endorse annexation.

Greene is a member of the Westside Action Group, which last month endorsed annexation. Hernandez said two members of WAG, whose names he would not reveal, told him Greene spoke in favor of annexation and the endorsement.

Greene said he abstained from voting on the endorsement. He attended the meeting as a member of WAG and not in his role for the chamber, Greene said.

The group decided to support annexation after hearing Hernandez and Councilman Daniel Frazier, who supports annexation, speak on the issue, said Ernest Wilson, WAG vice president.

The organization's executive board also reviewed the city's proposed plan for services to the Highland area before giving its endorsement, Wilson said.

"We looked at everything carefully," Wilson said. "I resent the implication that that wasn't done."

"Nobody manipulated anybody. The Westside Action Group has many strong-willed individuals, and they will not be manipulated," he said.

Hernandez also questioned Wilson's role in the vote because Wilson is the city's affirmative action officer and is answerable to Mayor W.R. Holcomb, who supports annexation.

"The mayor has never told me what do," said Wilson.



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**SAN BERNARDINO AREA CHAMBER OF COMMERCE**

546 W. 6TH ST. • P.O. BOX 658 • SAN BERNARDINO CA 92402 • (714) 885-7515

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August 3, 1984

Dear Chamber Member:

Your Chamber of Commerce needs your help!

Soon our community will face the most serious decision in its history:

**Should we unite under one local government?**

In November the people of the unincorporated areas surrounding the city will answer with their votes. Now, however, is a time for facts, questions and reflection.

The chamber has agreed to play a major role in providing the public with facts about what is being proposed and to serve as a forum for questions and opinions.

As part of that process we need to know which of our members have homes in the affected area. It is our intent to set up a special information system for you . . . and ask you to provide us with opinions on what the city's top priority capital improvements and services should be in the various parts of the unincorporated area.

Please fill out the enclosed card and return it to us at your earliest convenience.

Sincerely,

EUGENE WOOD  
President

# Funds voted for Highland attitude study

1861  
May 3, 1984

By ERIN KELLY

Sun Staff Writer

SAN BERNARDINO — Over the strong objections of 3rd Ward Councilman Ralph Hernandez, a City Council committee voted Wednesday to allocate \$56,000 for a Chamber of Commerce study to assess the attitude of Highland residents toward annexation.

In a related action, the Council Committee on Relations with Unincorporated Territories voted 2-1 to ask Highland voters to increase the council from seven to nine members if annexation is successful.

Hernandez called the chamber allocation — which requires approval from the full council — a misuse of public funds for political purposes and said the city's financing of the study will "contaminate it with politics."

The chamber's neutrality is wiped out by this \$56,000," Hernandez said. "We've hired a gun."

But 4th Ward Councilman Steve Marks and chamber Executive Vice President William Wood said it is common knowledge that the chamber supports annexation.

"We've never been neutral, Ralph," Wood said.

The chamber, which will put \$6,000 of its own funds into the study, is proposing to do a neighborhood-by-neighborhood survey, interviewing 6,000 people about the kinds of public services they want and the conditions under which they would support annexation.

The study results will be presented in three reports, to be issued on June 15, July 15 and Sept. 1.

City leaders hope an annexa-

(Please see Study, B-8)

tion election will be conducted in November.

"If we're going to have an election in November, the people of Highland have a right to know all the sides before they vote," Wood said. "And the work has to be done now."

But Hernandez argued that the study will duplicate efforts already being done by other city and county agencies and will just antagonize Highland residents.

"They're tired of being studied," he said. "They want to be left alone."

Responded Wood, "If they want to be left alone

what impact

Hired gun



III

Name \_\_\_\_\_

Address \_\_\_\_\_

SAN BERNARDINO AREA CHAMBER OF COMMERCE SURVEY

The purpose of this interview is to provide you with facts about the impact on your home and neighborhood of joining the City of San Bernardino. This interview is divided into topics. At the end of each topic I will ask you if you have further questions. If you do, I will try to answer them, or get answers for you.

TOPIC: TAXES

1. The first concern of most families is what joining the city will cost. Did you know that under Proposition 13 YOU CANNOT BE REQUIRED TO PAY ONE EXTRA PENNY IN PROPERTY TAXES IF YOU JOIN A CITY?

CIRCLE: (YES NO)

2. There is one new tax you would pay . . . the 8% utility tax. So that I can estimate the monthly cost of this tax for you, what is your typical:

a. Monthly Phone Bill \_\_\_\_\_

b. Monthly Electric Bill \_\_\_\_\_

c. Monthly Gas Bill \_\_\_\_\_

d. Cable TV Bill \_\_\_\_\_

ADD UP THE TOTAL \_\_\_\_\_

MULTIPLY TOTAL BY x .08

YOUR TAX WILL BE: \_\_\_\_\_ THIS IS YOUR MONTHLY  
COST OF JOINING THE CITY.

3. There is an exemption from this tax for certain families. How many people live in your home?

CIRCLE: (one more than one)

IF ONE, READ: If your yearly income is under \$9,000, you don't have to pay this tax.

IF MORE THAN ONE, READ: If your yearly income is under \$12,000, you don't have to pay this tax.



10. Do you know where the nearest 12 hour City Police Community Service Center would be located?

IF THEY DON'T KNOW READ: It is being put up at Sterling and Highland. The city will expand from 39 to 63 uniformed officers on duty East of Waterman Avenue if you join the city.

11. Do you have other questions about police protection?

a. \_\_\_\_\_

\_\_\_\_\_

b. \_\_\_\_\_

\_\_\_\_\_

TOPIC: WATER

12. What is the name of your water company?

IF IT IS EAST VALLEY WATER CO., READ: The City and East Valley have agreed that the city will give East Valley gravity flow water from the city's high altitude wells. East Valley will thus save the electricity costs of pumping water above ground. East Valley will pass along this cost savings by lowering water rates about 10% to city residents.

13. Do you have other questions about water?

a. \_\_\_\_\_

\_\_\_\_\_

b. \_\_\_\_\_

\_\_\_\_\_

TOPIC: STREET MAINTENANCE

14. Do you know how often the city sweeps neighborhood streets?

CIRCLE: (yes      no)

IF NO, READ: The city sweeps neighborhood streets once every other week on the same day.

15. Do you know the city policy on tree trimming?

CIRCLE: (yes      no)

IF NO, READ: Trees are trimmed for free on request and on a regularly scheduled basis.

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

TOPIC: BUILDING PROJECTS

20. Do you want new curbs or gutters in your neighborhood?

CIRCLE: (yes      no)

IF YES, READ: Homeowners must pay the cost of these improvements. If your family income is below \$22,000 you would qualify for zero interest loans for them.

IF NO, READ: This is not a requirement.

21. Do you want new street lights?

CIRCLE: (yes      no)

IF YES, READ: This is a project the city will eventually build.

IF NO, READ: This is not a requirement.

22. Do you plan to build a new home? CIRCLE: (yes      no)

IF NO, READ: There will be no change in your sewer service or rates if you join the city.

IF YES, READ: You should contact the City Water Department about fees.

23. The revenues the city will earn from the unincorporated areas will be enough to provide the services outlined above and leave about \$400,000 for improvements in the area. Are there specific important improvements (flood control, parks, sidewalks, curbs, gutters, lights, etc.) that you want installed?

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

TOPIC: ADDRESSES

24. READ: If you join the city, your street name will remain the same, but you will receive a new house number and new signs identifying the street. The post office will continue to deliver mail at your current number for two years.

FPPC TRANSMITTAL OF CORRESPONDENCE

CORRESPONDENT Miller, Common Cause DATE REC'D 10/4/84

DATE 10/9/84 RE: whether certain literature is  
an expenditure

☐ LEGAL  
☐ BARBARA  
☒ JANIS  
☒ BOB L.  
☐ DIANE

☐ ENFORCEMENT

☐ TA&A

DATE REPLY DUE 11/2/84

ACKNOWLEDGMENT SENT ☒

ADVICE NUMBER A-84-252

REQUEST SEI \_\_\_\_\_



CALIFORNIA COMMON CAUSE  
(213) 387-2017

Steven Miller  
State Field Director

636 S. Hobart Blvd., Ste 226 • Los Angeles, CA 90005

# State of California



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October 11, 1984

Steven Miller  
State Field Director  
California Common Cause  
636 S. Hobart Blvd., Suite 226  
Los Angeles, CA 90005


Re: A-84-252

Dear Mr. Miller:

Your letter requesting advice under the Political Reform Act has been referred to Robert E. Leidigh, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

  
Barbara A. Milman  
General Counsel

BAM:plh